

## **Legal Notice**

### **Comprehensive Five-Year Bond Review for Stillwater Mining Company (Hard Rock Mining Operating Permit No. 00118)**

The Department of Environmental Quality (DEQ) is conducting a comprehensive bond review for Operating Permit No. 00118 issued to Stillwater Mining Company (SMC). SMC's surface mine facility and associated disturbances are located about 5 miles south of Nye, MT at Sections 20, 21, 22, 23, 27, 18, 17, 1, 2, 10, 11, 15, and 16 of Township 05S, Range 15E; Sections 29, 30, 31, and 32 of Township 04S, Range 16E; Section 13 of Township 05S, Range 14E; and Section 14 of Township 05S, Range 14E.

DEQ has determined that the current bonding level does not represent the present costs of compliance with the Metal Mine Reclamation Act, administrative rules adopted thereunder, and the operating permit. DEQ is proposing a bond increase of \$20,116,591 (from \$23,226,241 to \$43,342,832). The bond increase is largely due to changes in fuel price, equipment rates, updated indirect costs - mobilization, contingency, and administration, etc., the need for a period of water treatment and permit revisions.

On December 17, 2021, DEQ provided SMC with a preliminary bond determination. Pursuant to the five-year bond review procedures set forth in Section 82-4-338(3), Montana Code Annotated (MCA), SMC had 60 days to negotiate the preliminary bond determination with DEQ. On February 16, 2022, SMC requested additional time to negotiate the bond and agreed to post an interim bond of \$24,000,000, for an interim total bond amount of \$46,395,108. While DEQ and SMC negotiated the bond amount, SMC submitted permit revisions requiring additional bond. After completing the bond negotiation with SMC and including bond necessary for permit revisions, DEQ determined the proposed bond increase should be \$20,116,591, for a total bond of \$43,342,832. Thus, the proposed bond increase is less than the interim bond of \$24,000,000 that SMC agreed to post during the pendency of the comprehensive bond review.

The procedure for adjusting bonds as a result of a comprehensive bond review is set forth in Section 82-4-338(3), MCA. The company and the public will have until October 4, 2022, to comment on the proposed bond increase. DEQ will issue a final bond determination after the comment period has expired. The company, or any person with an interest that may be adversely affected by DEQ's final bond determination, may obtain a contested case hearing before the Board of Environmental Review. A written request for a hearing must be filed with DEQ within 30 days of the issuance of the final bond determination, stating the reason for the request.

Requests for copies of the bond calculation associated with the comprehensive bond review, and any related questions should be directed to Eric Dahlgren, Hard Rock Mining Section Supervisor, Mining Bureau, Department of Environmental Quality, PO Box 200901, Helena, MT 59620-0901, by telephone at (406) 444-5245 or by e-mail at [edahlgren@mt.gov](mailto:edahlgren@mt.gov).